IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

RON SIMMONS, CHARLES SCOTT SYKES, JR., RANDY HAUGEN, VALORIE HAUGEN, ORRIN WOODWARD, LAURIE WOODWARD, CHRIS BRADY, TERRI BRADY, WILLIAM FLORENCE, PEGGY FLORENCE, DONALD WILSON NANCY WILSON, TIMOTHY MARKS, AMY MARKS, CHUCK CULLEN, NANCY CULLEN, KIRK BIRTLES, CASSANDRA BIRTLES, JIM MARTIN, DOLORES MARTIN,	\$\text{\$\phi\$} \text{\$\phi\$} \	No. 4:08-cv-159
ARON RADOSA, MARY RADOSA, CHUCK GOETSCHEL, DAVID BRANDY,	§ §	
BRUCE GILBANK, JESSILYN GILBANK,	8 §	
MIKE MARTENSEN, and BENJAMIN DICKIE	§	
individually	§	
DI 1 100	§	
Plaintiffs,	§ e	DI AINTERES NOTICE OF
	§ §	PLAINTIFFS' NOTICE OF APPEAL
V.	§ §	AFFEAL
v.	§ §	
LIBERTY MUTUAL FIRE INSURANCE	§	
COMPANY and WESTCHESTER FIRE	§	
INSURANCE COMPANY	§ §	
Defendants	§	

NOTICE OF APPEAL

TO THE HONORABLE JUDGE:

Notice is hereby given that the PLAINTIFFS, RON SIMMONS, CHARLES SCOTT SYKES, JR., RANDY HAUGEN, VALORIE HAUGEN, ORRIN WOODWARD, LAURIE WOODWARD, CHRIS BRADY, TERRI BRADY, DONALD WILSON, NANCY WILSON, TIMOTHY MARKS, AMY MARKS, CHUCK CULLEN, NANCY CULLEN,

KIRK BIRTLES, CASSANDRA BIRTLES, JIM MARTIN, DOLORES MARTIN, ARON

RADOSA, MARY RADOSA, CHUCK GOETSCHEL, DAVID BRANDY, BRUCE

GILBANK, JESSILYN GILBANK, MIKE MARTENSEN, and BENJAMIN DICKIE,

(hereinafter referred to as "Plaintiffs") hereby appeal to the United States Court of Appeals for

the Fifth Circuit from the Final Judgment (Document 91) and the Sealed Memorandum Opinion

and Order Regarding Motions for Summary Judgment (Document 90) signed by United States

Magistrate Judge Don. D. Bush on October 7, 2009 and entered in the district court's ECF

system on October 8, 2009 in the above-referenced matter. On October 22, 2009 Plaintiffs' filed

their sealed Motion for Reconsideration and New Trial (Doc. 92). On December 22, 2009, Judge

Bush denied Plaintiffs' sealed Motion for Reconsideration and New Trial (Doc. 103).

Respectfully submitted,

/s/

Michael Y. McCormick State Bar No. 13461030

/s/ (with authorization)

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served on all counsel of record pursuant to the Federal Rules of Civil Procedure on this 20^{th} day of January, 2010.

/s/	
Michael McCormick	